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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,598

12/06/2005

Lars Bogelund Jensen

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EXAMINER

HOLLOWAY, IAN KNOBEL

ART UNIT

PAPER NUMBER

4148

MAIL DATE

DELIVERY MODE

01/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/532,598	Applicant(s) JENSEN ET AL.	
	Examiner Ian K. Holloway	Art Unit 4148	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/25/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>(2/07/2006)</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 18 is objected to because of the following informalities: It is **claiming a method without positively reciting any steps**. Applicant should clarify whether this claim is meant to be an apparatus claim or method claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10-12 and 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by **Brown et al. (US Patent 4701159)**

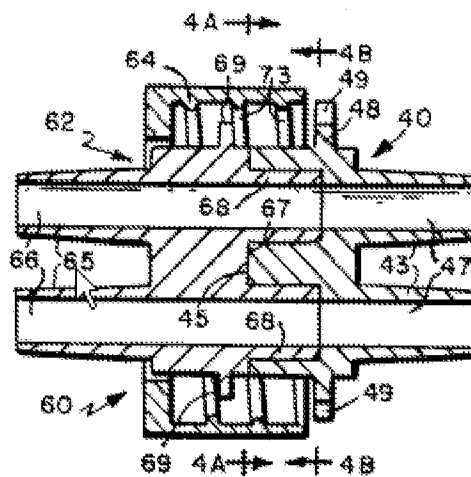


FIG. 4

Examiner is interpreting **Claim 10** as using means plus function language as described in USC 112 6th Paragraph.

Regarding **Claim 10, Brown et al.** discloses A coupling device comprising a first connector part **(62)** and a second connector part, **(40)** each connector part comprising at least one connecting portion **(68)** for engagement with at least one corresponding connecting portion **(68)** of the other connector part, a disengagement means **(64)** being provided for at least assisting in disengaging the engagement between said connecting portions and each connector part, the device comprising at least two connecting portions the disengagement means being connected with the first connector part and comprising engagement means for engagement **(73, 112 6th paragraph equivalence is shown since the threads are an equivalent structure to an engagement means)** with corresponding engagement means on the second connector part, the second connector part comprising a disk **(45)** including a through-going hole **(66)** in connection with each corresponding connecting portion, the engagement means of said connector part being provided on said disk, the engagement means of the disengagement means comprising internal threads **(73)** and the engagement means of the second connector part comprising external threads **(49, 69)**, and wherein the holes in the disk of the second connector part are arranged with a small spacing, and in which the external threads comprise at least one recess. **(Fig. 4a, 49)**

Regarding **Claim 11, Brown et al.** discloses external threads of the engagement means of the second connector part comprises two or more recesses. **(Fig. 4a, 49)**

Regarding **Claim 12, Brown et al.** discloses at least one of the through-going holes is extending into the recess. **(Fig. 4a)**

Regarding **Claim 14, Brown et al.** discloses at least some of said connecting portions have such an axial extension that the first and the second connector parts are brought into connection with each other before activation of the disengagement means. **(Fig. 4)**

Regarding **Claim 15, Brown et al.** discloses a disengagement means comprises handle means. **(64)**

Regarding **Claim 16, Brown et al.** discloses, in which the first connector part comprises two male luer lock connecting portions and the second connector part comprises two female luer lock connecting portions. **(4 found, 68 in Fig. 4a)**

Regarding **Claim 17, Brown et al.** discloses a first connector part or a second connector part of a coupling device. **(Fig. 4)**

Regarding **Claim 18, Brown et al.** discloses A method of disengaging the engagement between a first and a second connector part of a coupling device, wherein said disengagement means is activated in such a way that the first and the second connector parts are substantially pulled out of each other. **(Device is able to accomplish this task)**

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Brown et al.** in view of **Gittings et al. (US PgPub 2002/0123786)**

Regarding **Claim 13, Brown et al.** fails to disclose the bayonet coupling.

However, **Gittings et al.** teaches the bayonet coupling.

Brown et al. discloses the claimed invention except for the bayonet coupling.

Gittings et al. teaches that it is known to utilize bayonet couplings to join tubular members. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize a bayonet coupling as taught by **Gittings et al.**, since such modification would make the device easier to use since it is a quick connect coupling (Paragraph 87, **Gittings et al.**).

Furthermore, because both **Brown et al.** and **Gittings et al.** teach coupling devices, it would have been obvious to one skilled in the art to substitute one coupling type for the other to achieve the predictable result of forming a connection.

Discussion of Cited but not Applied Prior Art

Appling et al. (US Patent 5651776) discloses a luer type connector that uses a locking mechanism and threaded connectors.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IAN K. HOLLOWAY whose telephone number is (571)270-3862. The examiner can normally be reached on 8-5, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell L. McKinnon can be reached on 571-272-4797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ian K. Holloway
/Terrell L McKinnon/

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Supervisory Patent Examiner, Art Unit 4148